

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 12-00209-01-CR-W-BP
)	
ERIC T. RILEY,)	
)	
Defendant.)	

**ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION DENYING
DEFENDANT'S MOTION TO SUPPRESS**

Defendant has been indicted on one count of being a felon in possession of a firearm. He filed a Motion to Suppress, (Doc. 26), which alleged that a warrant issued by a state court judge was not supported by probable cause. On January 24, 2017, the Honorable Sarah W. Hays, Chief United States Magistrate Judge for this District, issued a Report, (Doc. 50), recommending that the undersigned deny the Motion to Suppress. A district judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made," 28 U.S.C. § 636(b)(1), but neither party has objected to Judge Hays' Report and Recommendation, and the time for doing so has passed.

The Court agrees that (1) the affidavit provided to support the warrant presented the issuing judge with probable cause, and (2) even if it did not, the "good faith" exception announced in *United States v. Leon*, 468 U.S. 897 (1984), would apply. Therefore, and given the lack of an objection from the parties, the Court (1) adopts Judge Hays' Report as the Order of the Court and (2) denies Defendant's Motion to Suppress.

IT IS SO ORDERED.

DATE: March _3_, 2016

/s/ Beth Phillips
BETH PHILLIPS, JUDGE
UNITED STATES DISTRICT COURT